

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04-CR-10065-MLW

UNITED STATES

v.

CLARENCE EARLE

**DEFENDANT'S MOTION FOR LEAVE TO FILE
SENTENCING MEMORANDUM ONE DAY LATE**

The defendant Clarence Earle, by his counsel, moves that the Court permit him to file his sentencing memorandum one day late, on February 15, rather than February 14, 2006. In support of this motion, the defendant states that the defendant litigated a motion to vacate a conviction in the Dorchester District Court. A hearing was held on February 15, and the District Court Judge ruled on the motion on that date. The ruling had the potential to dramatically affect the defendant's sentence. In order to incorporate the results of that hearing, the defendant filed his memorandum on February 15.

Respectfully submitted
The defendant Clarence Earle
By his attorney

/s/ Charles W. Rankin

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CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 15, 2006.

/s/ Charles W. Rankin

Charles W. Rankin